IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE

APPEAL FROM ORDER NO. 850 OF 2004

Office Notes, Office Memoranda of of Coram, appearances, Court's orders and Registrar's orders : Court's or Judge's orders

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Shri R.A.Thorat with B.P. Shukla for the appellant.

Shri J.J. Xavier for the B.M.C.

CORAM: P.V. KAKADE, J.

DATED: 30TH SEPT., 2004

P.C.:

1. Heard learned counsel for both parties.

2. Rule. Rule made returnable forthwith.

3. After hearing both parties for some time, it appears that the matter is required to be heard on merits finally and, therefore, it is directed that the learned Trial Judge shall expedite the hearing of L.C. Suit No.323 of 2003 and adjudicate it on merits within a period of six months from the date of receipt of this order after giving opportunity to both sides to lead evidence, if any.

In the meantime, pending the adjudication of

the suit, both the parties shall maintain status-quo with regard to the suit property and respondent shall not implement the notice dated 14.12.2002 and order dated 10.1.2003

With this direction, the appeal stands disposed of with no order as to costs.

Consequently, the C.A. also stands disposed of.

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